

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

ESTATE OF CINDY LOU HILL, by and  
through its personal representative, Joseph A.  
Grube; and CYNTHIA METSKER,  
individually,

Plaintiffs,

v.

NAPHCARE, INC, an Alabama corporation;  
HANNAH GUBITZ, individually; and  
SPOKANE COUNTY, a political subdivision of  
the State of Washington,

Defendants.

**Case No.** 2:20-CV-0410-MKD

**CIVIL MINUTES**

**DATE:** 3/23/2022

**LOCATION:** Spokane

**MOTION HEARING**

**JUDGE MARY K. DIMKE**

Linda Hansen	LC 02	Ronelle Corbey
<b>Courtroom Deputy</b>	<b>Law Clerk</b>	<b>Interpreter</b>
<b>Edwin S Budge and Hank L Balson</b>	<b>John E Justice for Def Spokane County Erin Ehlert for Def Naphcare and Gubitiz</b>	
<b>Plaintiff's Counsel</b>	<b>Defense Counsel</b>	

☒ **Open Court**

☐ **Chambers**

☐ **Video-Conference**

All parties present in courtroom. The Court has reviewed the submissions of the parties.

Motion before the Court: *Defendant's Motion for Summary Judgment, ECF No. 37.*

John Justice presented argument in support of Defendant's Motion.

Hank Balson argued in opposition.

Mr. Justice argued in reply.

Additional comments by Mr. Balson.

The Court questioned counsel and heard additional comments from Mr. Budge, Mr. Justice and Erin Ehlert on the motion for sanctions regarding spoliation of evidence.

If the parties would like to submit a proposed jury instruction; they may do so within seven days, responses will be due seven days from the response date.

The Court took the matter under advisement and will issue a written order within 30 days.

CONVENED: 1:30 PM	ADJOURNED: 3:02 PM	TIME: 1 HR/ 32 MINS	ORDER FORTHCOMING <input checked="" type="checkbox"/>
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